REMARKS

[0010] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-3, 7-13, 15, 16 and 21-27 are currently pending

[0011] If the Examiner's reply to this Response is anything other than allowance of all pending claims, then Applicant formally requests the Examiner to contact the undersigned attorney to quickly and efficiently resolve any issues.

[0012] Applicant encourages the Examiner to call and schedule a date and time for a telephone communication that is most convenient for both of us. Alternately, Applicant also encourages email communication in lieu of telephone communication. Applicant's attorney's contact information may be found on the last page of this response.

Cited Documents

[0013] The following documents have been applied to reject one or more claims of the Application:

- Foote: Foote et al., U.S. Patent No. 6,774,917
- Cobbley: Cobbley et al., U.S. Patent No. 5,818,510
- Snook: Snook, U.S. Patent No. 6,400,378
- Maybury: Maybury et al., U.S. Patent No. 6,961,954

Claims 1-3, 7-13, 15, 16 and 21-27 Are Non-Obvious Over Foote, Cobbley, Snook and in further view of Maybury

[0014] Claims 1-3, 7-13, 15, 16 and 21-27 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Foote, Cobbley, Snook and in further view of Maybury. Applicant respectfully traverses the rejection.

[0015] Applicant submits that the Office has not made a *prima facie* showing that independent claims 1, 13 and 21 are obvious in view of the cited references. For instance, Applicant submits that the cited references do not teach or suggest at least the following features of independent claim below (emphasis added):

Independent claim 1, as presently presented, recites (emphasis added):

> wherein the inferring comprises **comparing temporal lengths** of repeat instances of the media object with one another to **determine different versions** of the media object, wherein the different versions of the media object are video clips, the different versions of the media object selected from the group comprising:

[0016] In stating a rejection of this claim, the Office states the following on page 4 of the Office Action:

Snook teaches a method of presenting media clips to a user by duration such that the clips can be displayed by duration from shortest to longest and in ascending or descending order (see [col. 4, ll. 36-56], [col. 6, ll. 13-21] which reads on determining a longest or shortest version of the media object). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the way in which the search results are presented to the user by allowing the media segments (clips) to be sorted by duration, as taught by Snook, in order to provide the user with a simplified and effective way of reviewing the search results.

[0017] Applicant respectfully submits the cited portions of Snook at least fail to teach or suggest "comparing temporal lengths ….to determining different versions of the media object."

[0018] Instead, the Office claims "Snook teaches a method of presenting media clips to a user by duration such that the clips can be displayed by duration from shortest to longest and in ascending or descending order (see [col. 4, ll. 36-56], [col. 6, ll. 13-21] which reads on determining a longest or shortest version of the media object."

Col. 4, ll. 36-56 of Snook recites:

> Preferably, the user has options in how the clips are viewed. For example, the user can view clips by tape, clips by index and clips by duration. Preferably, by default, the clips are viewed by tape. Once in the clip window the zoom value can be changed by selecting on of the dots (see window 505, FIG. 5) inside the zoom control 505 (FIG. 5). The left-most dot which is the smallest dot, represents the first zoom (e.g., 30 frames per second). Selection of the left-most dot will cause a thumbnail of every single frame on the tape to be loaded on the clip window. This zoom typically is used if it is desirable to see a detailed picture of the tape. However, it is quite probable that in this zoom, not all the thumbnails can

> be seen at once by the clip window. The clip window may have to be scrolled quite a few times before all the thumbnails can be viewed. The rightmost zoom which is represented by the biggest dot shows the largest zoom. In this zoom, for every minute in the tape, only one thumbnail is shown in the clip window. This zoom can be used to see an overview of the tape. In the present embodiment, there are four zooms in-between the first zoom and the last zoom which can be used.

Col. 6, ll. 13-21 of Snook, meanwhile, recites:

> Alternately, the clips can be displayed by duration, from shortest to longest, and in ascending or descending order. Typically, the first clip will be the shortest and the last clip will be the longest. This is illustrated in FIG. 5c. When the clips are viewed by index or duration, there is an image at the beginning of every clip which indicates the clip number as illustrated in FIGS. 5b and 5c. For example, the first clip will be identified as clip 1, the second clip will be identified as clip 2 as shown. Referring back to FIG. 4, at step 420, the user utilizing the cursor control device, such as a mouse, moves the pointer to select, drag and drop clips from the clip window to the edit window to produce an edited video.

[0019] As seen above in the quoted sections of Snook, multiple clips may be displayed to a user simultaneously and the "clips can be displayed by duration, from shortest to longest, and in ascending or descending order." However, simply sorting clips by duration and presenting them to a user in an order determined by their duration does not teach or suggest "**comparing** temporal lengths ....**to determin[e]** different versions of the media object." (emphasis added)

[0020] In other words, Snook does not teach or suggest a comparison of lengths of different versions of a media object. At best, Snook seems to present clips of different lengths in a desired order of their duration. Moreover, even assuming for the sake of argument, Snook did teach and suggest a comparison, which it does not, Snook does not teach or suggest a determination of different versions a media object based on any such comparison.

[0021] Thus, Applicant respectfully submits that claim 1 and its dependent claims are allowable because the evidence from Snook and the other cited references which fail to remedy Snook, do not teach or suggest at least these features of base claim 1.

[0022] **Independent claim 21**, meanwhile, recites, in part, (emphasis added):

> wherein the inferring comprises **comparing temporal lengths** of repeat instances of the media object with one another to **determine different versions** of the media object, the different versions of the media object selected from the group comprising:

[0023] Applicant respectfully asserts that the cited references do not teach or suggest at least this feature of claim 21 for at least reasons similar to those discussed above in regards to claim 1. Therefore, this independent claim and its dependent claims are allowable for at least this reason.

[0024] **Independent claim 13**, as presently presented, recites in part (emphasis added):

> sending a third request for one or more most-popular media objects based on the third user input, the one or more **most-popular media objects** comprising media objects having **a higher frequency of repeat instances** relative to one another **and** a **shorter or longer length relative to one another**;

[0025] In stating a rejection of this claim, the Office states the following on page 8 of the Office Action:

While these references do not explicitly teach a first, second or third request for media it is the combined teachings of the aforementioned prior art teach interfaces which are used conducting a search (see Maybury [figs. 32, 33], [col. 20, ll. 18-28]; see also Maybury [figs. 14-19, 21, 22] for an interface which provides a means for indicating a type of search a user should choose to input; see also [fig. 14, 18], [cols. 6-7, ll. 53-2] for the ability to identify the most common, which reads on a most popular media object), in addition, the ability present, which reads on rendering, the searched repeated and related media segments is also taught in the aforementioned prior art (see Foote [col. 3, 47-60]; see also Maybury [col. 5, ll. 10-20] for interfaces which allow the search results to be presented to the user).

[0026] Applicant respectfully submits the cited portions of the reference at least fails to teach or suggest any operations regarding at least ", the one or more **most-popular media objects** comprising media objects having **a higher frequency of repeat instances** relative to one another **and** a **shorter or longer length relative to one another**."

[0027] Instead, the Office claims Maybury teaches and suggests "the ability to identify the most common, which reads on a most popular media object".

[0028] Figs. 14-18 of Maybury illustrate:

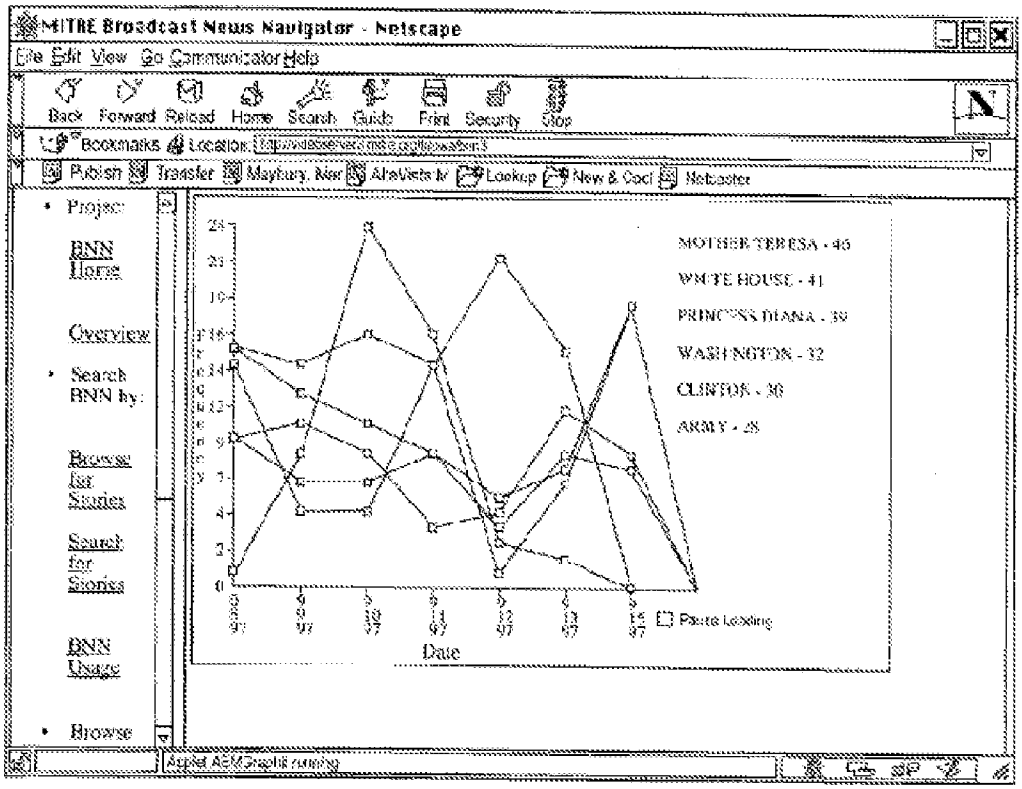

FIG. 14

Broadcast News Navigator

Tag Frequencies for the Last 7 Days

Occurences	Type	Value
86	ORGANIZATION	CNN
58	LOCATION	SIMPSON
45	PERSON	LINDEN
42	PERSON	NATALIE
31	PERSON	CLINTON
26	PERSON	O| SIMPSON
25	PERSON	JEANNE
15	LOCATION	WASHINGTON
14	ORGANIZATION	WHITE HOUSE
14	PERSON	NICOLE BROWN SIMPSON

USER SELECTS

FIG. 18

Col. 6-7, II. 53-2 of Maybury recite:

> The simplest content selection technique is to count image frames, such as selecting the first few frames of the imagery 104, first few words of the text 108, or first few seconds of audio 106. A slightly more sophisticated content based selection algorithm is to exploit clues that might identify key passages. For example, the selection process 220 may detect spoken or closed captioned token phrases such as "in summary", "the most important"; similar spoken language cues in the audio stream; or images that contain predetermined, known visual features that would serve as informative key frames such as on screen logos, anchor/reporter names or locations; or significant changes in the color, text, or shape of image frames indicating new scene content. In addition to these syntactic cues, other summarization techniques may statistically analyze the frequency of occurrence of words, images, or sounds as indicative of the most common or most important content.

[0029] As seen in the above sections of Maybury, common content may be determined by "frequency of occurrence of words, images, or sounds as indicative of the most common or most important content." (see Maybury Figs. 14 and 18) However, simply determining commonality via frequency does not teach and suggest, ", the one or more **most-popular media objects** comprising media objects having **a higher frequency of repeat instances** relative to one another **and** a **shorter or longer length relative to one another**." Specifically, Maybury fails to teach and suggest determining the most-popular media objects via media objects having a higher frequency "**and** a shorter or longer length relative to one another." (emphasis added).

[0030] In other words, simply using frequency to determine how common content is does not teach and suggest using **both** frequency and "shorter or longer length [of the media object] relative to one another."

[0031] Thus, Applicant respectfully submits that claim 13 and its dependent claims are allowable because the evidence from Snook and the other cited references which fail to remedy Snook, do not teach or suggest features of base claim 1.

Conclusion

[0032] Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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